



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
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OFFICIAL  
FILE COPY

MAY 21 2009

REPLY TO THE ATTENTION OF E - 19J

Craig K. Hebebrand, Project Manager  
Ohio Department of Transportation, District 12  
5500 Transportation Boulevard  
Garfield Heights, Ohio 44125

**Re: Comments on the Draft Environmental Impact Statement  
for the Cleveland Innerbelt Project, CEQ No. 20090071**

Dear Mr. Hebebrand:

In accordance with U.S. Environmental Protection Agency (EPA) responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA), we have reviewed the Draft Environmental Impact Statement (DEIS) for the Cleveland Innerbelt Project in Cuyahoga County, Ohio. This project proposes to replace the existing aged Central Viaduct Bridge over the Cuyahoga River Valley with two parallel spans, thus providing increased capacity. Upgrading original roadway design components will improve safety, traffic flow, and capacity at many points throughout the corridor. Redesign of the corridor interchanges are proposed to improve access and compliance with federal highway standards.

EPA participated in scoping conversations with the Ohio Department of Transportation (ODOT) regarding this project and provided comments to the August 11, 2006 document, Conceptual Alternatives (CA), on December 11, 2006. We presented concerns regarding impacts from the historic design of traffic through the metropolitan area and that the proposed project continues to concentrate traffic on the Central Interchange and Trench segments. City and suburban traffic converge on the Central Interchange from the west and northeast via I-90 and from the south via I-71, I-77, and State Route 176. Average Daily Traffic levels (ADT) do not appear to be the purpose and need for this project. Rather, purpose and need are driven principally by the congestion at morning and evening peak hours of service, which the system does not handle efficiently or safely. We expressed concern that this concentration of vehicles could elevate local air pollution levels, creating "hot spots." We also requested the DEIS discuss collection and pretreatment of roadway construction and operational stormwater runoff to the Cuyahoga River and Lake Erie.

The DEIS discusses how various interchange options along the Trench segment have been negotiated to reach a single solution. The earlier CA document discussed several options for the Central Interchange, the Outer Curve configuration, and interchanges for other project segments. Design parameters identified as optimal from the CA document are incorporated in

this DEIS as the proposed configurations for these segments. This leaves only the Central Viaduct Bridge segment with two alternatives, those being a second bridge structure to the north of the present bridge or a second bridge to the south of the current structure. Both bridge alternatives include replacing the present bridge structure with a comparable structure matching the new bridge. The DEIS selects the northern bridge as the Preferred Alternative.

Our review of the DEIS has focused upon our former comments regarding stormwater runoff and air quality concerns. During scoping, we inquired whether transportation system management (TSM) might be a considered alternative, and concurred that TSM could not solve the current Innerbelt design flaws and was appropriately dropped as a stand-alone alternative. Below, we raise the possible use of TSM in coordination with the proposed construction solutions to congestion. We commend the DEIS writers on the Indirect (Secondary) and Cumulative Impacts discussion.

### **STORMWATER RUNOFF**

The discussion on page 4-2 depicts the surface area of the proposed project as a very small percentage (0.5%) of the total city impervious surface, implying the proposed roadway contributes insignificantly to the discharge impact. The Innerbelt handles a substantial portion of traffic to and through the Central Business District (CBD), appearing to account for up to half of the vehicle miles traveled on roads within the CBD served by the Innerbelt, thus concentrating pollutant loading of stormwater runoff to the Cuyahoga River and Lake Erie. Therefore, we recommend that the EIS examine and discuss "green infrastructure" alternatives for managing wet weather flows. This could potentially include features like swales, detention ponds, and rain gardens to filter and absorb stormwater. Such control measures can reduce the volume of discharges, trap pollutants, and help restore the hydrological regime. In addition, there are many vacant parcels in the project area, providing opportunities to work in collaboration with local units of government, parks departments, and Northeast Ohio Regional Sewer District (NEORSD) to install green infrastructure on vacant parcels to manage stormwater. "Stormwater parks" can potentially be designed to store/infiltrate stormwater and improve the fabric of the community. Post-construction stormwater control measures, including green infrastructure alternatives, are not specifically discussed in the DEIS; they should be addressed in the Final EIS.

Stormwater discharges associated with construction activities will require a National Pollution Discharge Elimination System (NPDES) stormwater discharge permit from the Ohio Environmental Protection Agency (OEPA). The permit will require erosion and sediment controls and pollution prevention (e.g., preventing spills of fuels/fluids from construction equipment) during construction. The NPDES permit will also require post-construction stormwater management measures. The Final EIS should include a description of both during-construction and post-construction stormwater control measures.

As noted in the DEIS, some of the sewers in the project area are combined. High volumes of runoff into the combined system during and after storm events result in substantial combined sewer overflows (CSOs). CSO overflows discharge to the Cuyahoga River and Lake Erie with some regularity each year. The CSO discharges deliver sediment, biological oxygen demand (BOD) components, pathogens, and other pollutants to the Cuyahoga River and Lake

Erie. Separating wet weather discharges from the highway to the combined system will contribute to reduced pollutant loadings to the River and the Lake from CSO discharges. However, green stormwater control measures, as described above, will still be appropriate to reduce the pollutant loadings and volume of stormwater discharges from the storm sewer system.

We are well aware of the continued degraded condition of the lower Cuyahoga River, a designated Great Lakes Area of Concern. Great investments continue to be made to improve the Cuyahoga River and the Great Lakes ecosystems. We disagree with the DEIS's implication on page 4-2 that, just because the OEPA concedes that contamination of the Cuyahoga River makes its full recovery improbable, it is therefore acceptable to consider the pollution load this project contributes to these waters to be negligible.

### **AIR QUALITY**

We appreciate that air quality concerns for conformity and local "hot spot" and toxic situations were analyzed and discussed. Although the region remains as a moderate non-attainment area for 8-hour ozone levels and non-attainment for particulate matter of 2.5 micron size, we accept the analysis discussed in the DEIS for these concerns and that this project will meet the region's transportation conformity requirements.

We recommend that the Final EIS estimate the greenhouse gas emissions associated with this project. Conversely, how global climate changes might impact this project should also be discussed.

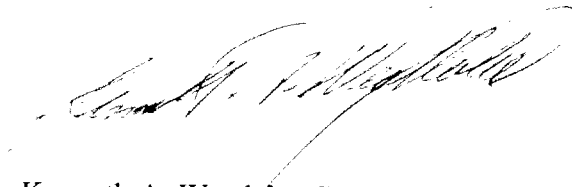
### **TRANSPORTATION SYSTEM MANAGEMENT**

Because peak hour traffic congestion is a significant component of the purpose and need for this project, we recommend that some of the developing TSM concepts should be considered in combination with the build alternatives being proposed in the Final EIS. We acknowledge that cost / benefit is a consideration in such matters, as was earlier pointed out, but new technologies may warrant their inclusion in this project solution. Because the Innerbelt has a limited number of pathways and key control points, TSM components may be more economically incorporated with significant results. For example, with only four signs, a real-time messaging system could advise inbound traffic on the four interstate approaches (I-90 eastbound, I-90 westbound, I-71 and I-77 northbound) regarding Innerbelt congestion backups and recommend alternate routing. Simple flashing light signs or lighted arrows could similarly convey when drivers should consider either exiting the Innerbelt early or not entering the Innerbelt at a specific ramp; signs could also redirect traffic flow as needed. Providing alerts via GPS on-board systems may be useful. Some form of congestion pricing could significantly reduce projected peak hour travel, bringing it to manageable levels.

Our comments on the DEIS requests that the Final EIS give additional consideration to stormwater runoff, CSO separation, air quality including climate change considerations, and reconsider TSM techniques. We therefore give the document a rating of "EC-2" (environmental concerns, insufficient information). We refer you to the enclosed Summary of Rating Definitions Sheet for a fuller definition. This rating will be published in the Federal Register.

We appreciate the opportunity to review and comment on this DEIS for the Cleveland Innerbelt Project. Should you have any questions regarding these comments, please feel free to contact me or Norm West of my staff at 312-353-5692 or [west.norman@epa.gov](mailto:west.norman@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", with a long, sweeping horizontal stroke extending to the right.

Kenneth A. Westlake, Supervisor  
NEPA Implementation  
Office of Enforcement and Compliance Assurance

Cc: David Snyder, FHWA - Ohio Division  
Herman Rodrigo, FHWA - Ohio Division  
Timothy M. Hill, ODOT